

Smith, Joyce M. (ECY)

From: SArmentrout@unimin.com
Sent: Wednesday, September 22, 2004 8:25 AM
To: Moore, Bill (ECY)
Subject: Comments on the Modified Ind. SW General Permit

My comments pertain to the number of exceedences required to trigger a response. In communications with our local testing lab, we have found that 58 of 287 samples they analyzed for have had turbidity levels above 50 ntu. I can't speak for all industry, but we have experienced this level of turbidity even after employing BMPs. Based on this information, it appears as if the 50 ntu level is difficult to meet, and Level Two and Three responses to the state on ntu's alone are apt to be frequent. Additionally, the proposed response levels do not take into account the background levels of the receiving stream at the time of discharge. It is quite possible that even if action levels are exceeded, the discharged water may in fact be cleaner than that of the receiving stream.

Also, for clarification purposes, is the Level Three Response proposed to be required after four consecutive quarterly exceedences, or after four quarterly exceedences during the terms of the general permit?

In light of the above information, my comments for consideration would boil down to:

1. Relaxing the number of exceedences needed to trigger a Level Two or Three response, possibly by incorporating background levels into the equation.
2. Clarifying the sequence or number of exceedences that would trigger a Level Three response.